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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 **RONALD BRATTON,**

16 Plaintiff,

17 v.

18 **BEN CURRY,**

19 Defendants.
20

Case No. C 07-2928 JSW

**DECLARATION OF P.
SANTIAGO IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS**

21 I, P. SANTIAGO, declare as follows:

22 1. I am employed by the California Department of Corrections and Rehabilitation
23 (CDCR) as an Appeals Coordinator at the Correctional Training Facility (CTF). My job duties
24 include processing inmate appeals (CDC Form 602), assigning appeals to the appropriate staff,
25 and monitoring and maintaining the computer database in the Inmate Appeals Office. I am
26 competent to testify to the matters set forth in this declaration, and if called upon to do so, I
27 would and could so testify. I submit this declaration in support of Defendants' Motion to
28 Dismiss.

Decl. Santiago in Support of Mot. to Dismiss

R. Bratton v. B. Curry, et al.
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1 2. Under the California Code of Regulations, inmates must submit appeals to the Appeals
2 Coordinator at the institution within fifteen working days of the event or decision being
3 appealed, or of receiving an unacceptable lower level appeal decision.

4 3. When an inmate has filed a CDC Form 602 appeal that meets the criteria for review
5 pursuant to the California Code of Regulations, the appeal is recorded into the Inmate Appeals
6 Office computer database. The recording is made at or near the time the inmate appeal is
7 received by me or another employee with personal knowledge of the appeal process. The
8 database is kept in the course of regularly conducted business activity and every effort is made to
9 maintain the accuracy and integrity of each record maintained.

10 4. CDCR does not maintain copies of appeals that have been screened out in an inmate's
11 central file. These appeals are returned to the inmate with a CDC Form 695 screening form that
12 explains the reason for the screen out. The screening form also instructs the inmate that if he or
13 she believes the screen out is in error, then he or she may challenge the screen out by returning
14 the form to the Appeals Coordinator with an explanation of why he or she believes it to be in
15 error, along with supporting documents.

16 5. I have searched the Inmate Appeals Office computer database for all records of appeals
17 filed by inmate Ronald Bratton, CDCR number J-45341.

18 a. Attached as Exhibit A is a true and correct copy of the computer printout from the
19 Inmate Appeals Office showing Inmate Bratton's appeals history. Each of the inmate appeals
20 are assigned an Institutional Log Number by the Inmate Appeals Office when they are assigned
21 to the first level of review. The inmate appeals are tracked by the status reports in exhibit A.

22 b. Exhibit A shows that appeal log number CTF-S-07-00286 was granted in part at
23 the second level of review on February 28, 2007.

24 c. Exhibit A shows that between March 30, 2007, and April 4, 2007, Inmate Bratton
25 submitted two appeals concerning living conditions. These appeals were not assigned
26 Institutional Log Numbers. The appeals database contains additional records about these
27 appeals, but those records cannot be printed from the database due to computer software
28 limitations. A review of that additional information on the database shows that both appeals

1 were categorized under "living conditions," and both appeals concerned food service. Both
2 appeals were screened out on March 30, 2007, because they were determined to be duplicates of
3 appeal log number CTF-S-07-00286. The database record also shows that Inmate Bratton was
4 issued a CDC Form 695 screening form, as described in paragraph four above, that instructed
5 him how to proceed if he believed the screen out was in error.

6 7. Attached as Exhibit B is a true and correct copy of the inmate appeal log number CTF-
7 07-00286. The status report at exhibit A shows that this appeal was received by the CTF Inmate
8 Appeals Office on January 23, 2007, and was completed on February 28, 2007, through the
9 second level of review.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed at
11 Soledad, California, on April 30, 2008.

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P. Santiago
Appeals Coordinator

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